

**STATE OF MINNESOTA  
BOARD OF ARCHITECTURE, ENGINEERING,  
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE  
AND INTERIOR DESIGN**

**In the matter of  
Martin Bonnell  
Professional Engineer  
License Number 14010**

**STIPULATION AND ORDER**

**Board File No. 2007-0028**

TO: Martin Bonnell  
172 Spruce Drive  
Apple Valley, MN 55124

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2006) and Minnesota Statutes section 326.111 (2006) to review complaints against architects, professional engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Martin Bonnell ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

**STIPULATION**

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. The Respondent has held a license to practice professional

engineering from the Board since August 29, 1979. Respondent's license lapsed from ~~June 31, 2006~~ <sup>JULY 1, 2006 R/L</sup> until September 5, 2006. Respondent's license is current at the time of this Stipulation and Order. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:

- a. Respondent was first licensed to practice professional engineering in the State of Minnesota on August 29, 1979.
- b. On ~~June 31, 2006~~ <sup>JULY 1, 2006 R/L</sup>, Respondent's license to practice professional engineering in the State of Minnesota expired.
- c. On September 5, 2006, Respondent's license to practice professional engineering in the State of Minnesota was renewed.
- d. On August 14, 2006, Respondent certified and stamped construction plans for a vapor collection system to be used on a project named the Village on Quebec, located at Quebec and 42<sup>nd</sup> Avenues North, New Hope, Minnesota.
- e. A true and correct copy of Respondent's stamp is attached as Exhibit 1.

3. Violations. Respondent admits that his preparation and certification of the plans as described in paragraph 2d above constitutes the practice of Professional Engineering and that the facts specified above constitute violations of Minnesota Statutes section 326.02 subdivisions 1 and 3 (2006), Minnesota Statutes section 326.03 subdivision 1 (2006), Minnesota Statutes section 326.15 (2006), and Minnesota Rules

1805.0200 subpart 4 (2005) and are sufficient grounds for the action specified below.

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

- a. Reprimand. Respondent is reprimanded for the foregoing conduct.
- b. Civil Penalty. Respondent shall pay to the Board a civil penalty of One Thousand (\$1,000.00) dollars. Respondent shall submit a civil penalty of One Thousand (\$1,000.00) dollars by cashier's check or money order to the Board within sixty (60) days of the Board's approval of this Stipulation and Order.

5. Additional Discipline for Violations of Order. If Respondent violates this Stipulation and Order, Minnesota Statutes, sections 326.02 through 326.15 (2006), Minnesota Rules, Chapter 1800 (2005) or Minnesota Rules Chapter 1805 (2005), the Board may impose additional discipline pursuant to the following procedure:

- a. The Committee shall schedule a hearing before the Board. At least thirty days prior to the hearing, the Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Within fourteen days after the notice is mailed, Respondent shall submit a written response to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

- b. At the hearing before the Board, the Complaint Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a

hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice or suspension or revocation of Respondent's license.

6. Waiver of Respondent's Rights. For the purpose of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, to dispute the appropriateness of discipline in a contested case proceeding pursuant to Minnesota Statutes, Chapter 14 (2006), and to dispute the civil penalty imposed by this Agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of certiorari, or otherwise.

7. Collection. In accordance with Minnesota Statutes section 16D.17 (2006), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(b) above, Respondent agrees that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional proceedings.

8. Board Rejection of Stipulation and Order. In the event the Board in its discretion does not approve this Stipulation and Order or a lesser remedy than specified herein, this Stipulation and Order shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minnesota Statutes Chapter 14 (2006), Respondent agrees not to object to the Board's initiation of the proceedings and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation and the record.

9. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and Order and which is not directly related to the specific facts and circumstances set forth herein.

10. Record. The Stipulation, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.

11. Data Classification. Under the Minnesota Government Data Practices Act, this Stipulation and Order is classified as public data upon its issuance by the Board, Minnesota Statutes section 13.41, subd. 5 (2006). All documents in the record shall maintain the data classification which they are entitled under the Minnesota

Government Data Practices Act, Minnesota Statutes Chapter 13 (2006). They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank pertaining to the practice of Professional Engineering.

12. Entire Agreement. Respondent has read, understood, and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

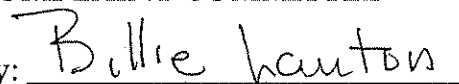
14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The Order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

  
Martin Bonnell, P.E.

Dated: 3/30, 2007

COMPLAINT COMMITTEE

By:   
Billie Lawton, Public Member,  
Committee Chair

Dated: 5/4, 2007

## ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein, all terms of the Stipulation are approved and hereby issued as an Order of this Board on this the 4<sup>th</sup> day of May, 2007.

MINNESOTA BOARD OF  
ARCHITECTURE, ENGINEERING,  
LAND SURVEYING, LANDSCAPE  
ARCHITECTURE, GEOSCIENCE AND  
INTERIOR DESIGN

By: Harvey H. Harvala  
Harvey H. Harvala, PE  
Board Chair

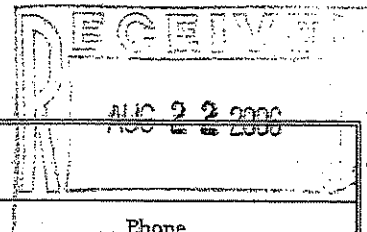




City of New Hope  
Community Development  
4401 Xylon Avenue North  
New Hope MN 55428

Phone: 763-531-5127  
Fax: 763-531-5136  
www.ci.new-hope.mn.us

## MECHANICAL PERMIT APPLICATION



Job Address <b>7500 42nd Ave.</b>					
Owner		Address (if different than above - include City, State, Zip)		Phone	
Contractor		Address (include City, State, Zip)		Phone	
<b>Voss Utility &amp; Plumbing</b>		<b>P.O. Box 240 Hanover, MN 55341</b>		<b>763-497-4577</b>	
Electrician		Address (include City, State, Zip)		Phone	
Class of Work:	Estimated Completion Date:	Inspection Scheduled:	Heating System (01)	Central Air (02)	
<input checked="" type="radio"/> New <input type="radio"/> Alteration	<b>11-30-06</b>	Yes No			
Ventilation (03)	Gas Piping (04)	Roof Top Units (05) Number:	Infrared Heaters (06) Number:	Gas Fireplace/Insert (11)	Air Exchanger (12)
DESCRIBE WORK ABOVE (INCLUDE UNIT MAKE & MODEL IF APPLICABLE):					
<b>piping underground vapor collection system</b>					
VALUE OF WORK INCLUDING LABOR: \$ <b>18,000.00</b>					

### Fee Schedule

Under \$ 500	\$ 25.00 (Residential) \$ 40.00 (Commercial)
501 - 1,000	\$ 25.00 plus 2.50% of amount over \$ 500 or Min Commercial
1,001 - 5,000	\$ 35.00 plus 2.25% of amount over \$ 1,000 or Min Commercial
5,001 - 10,000	\$ 125.00 plus 2.00% of amount over \$ 5,000
10,001 - 25,000	\$ 225.00 plus 1.75% of amount over \$ 10,000
25,001 - 50,000	\$ 490.00 plus 1.50% of amount over \$ 25,000
50,001 and over	\$ 875.00 plus 1.25% of amount over \$ 50,000

Approved by:	Required Inspections	Permit Fee:
Date Approved:	Gas Test Orsat <u>Rough In</u> <u>Final</u>	State Surcharge: .0005 x Value of Work (\$ .50 Min.)
		Total Fees Due Upon Application:
Notice Separate permits are required for Electrical. This permit becomes null and void if work or construction authorized is not commenced within 180 days or work is suspended or abandoned for a period of 180 days at any time after work is commenced.		Notations:
Contractor Signature:	Date of Application:	State License #: <b>PM5639</b>
<b>Steven Voss</b>	<b>8-22-06</b>	Expiration Date: <b>12-31-06</b>
Homeowner-Builder Signature:	Date of Application:	
Visa/Mastercard:		
Name (print):		
Billing Address:		



VOSS UTILITY & PLUMBING

Steven Voss  
P.O. Box 240  
885 Katydid Lane  
Hanover, MN 55341  
763-497-4577  
763-497-3994 Fax  
612-867-3009 Cell

# EXHIBIT 1

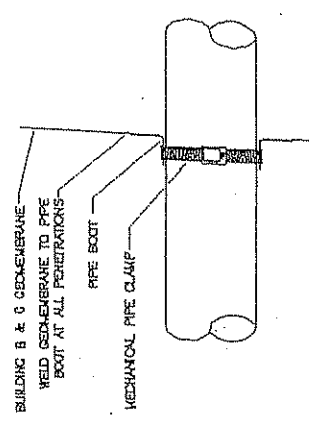
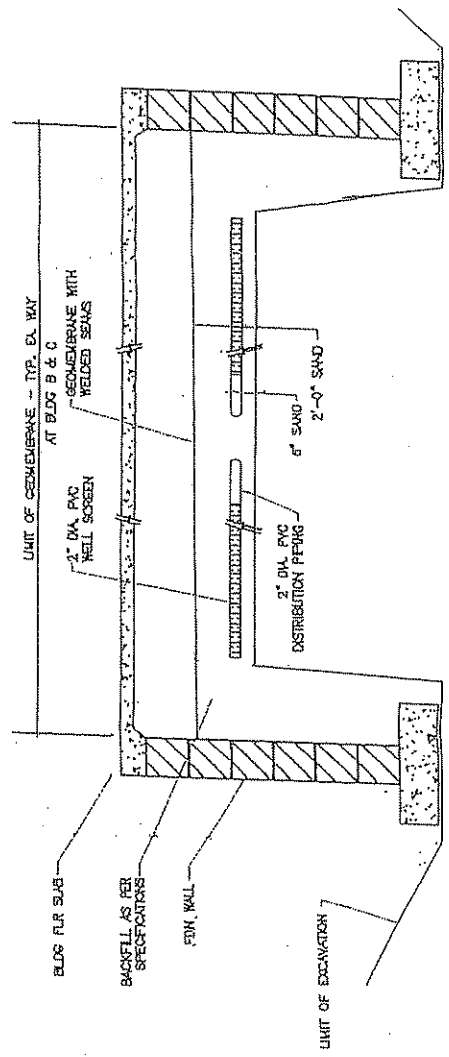
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COPY

VILLAGE ON QUEBEC		New Hope, Minnesota	
Quebec and 42nd Avenues North		Date: August 9, 2006	
DETAILS		DRAWING NUMBER: 6 of 6	
PROJECT NUMBER:		PROJECT NUMBER:	
VILLAGE ASSOCIATES INC.		VILLAGE ASSOCIATES INC.	
I hereby certify that this plan, specification		I hereby certify that this plan, specification	
was prepared by me or under my direct		was prepared by me or under my direct	
supervision and that I am a duly registered		supervision and that I am a duly registered	
engineer under the laws of the State of Minnesota		engineer under the laws of the State of Minnesota	
Signature: <i>Kevin D. Howell</i>		Signature: <i>Kevin D. Howell</i>	
Registration Number: 14010		Registration Number: 14010	
REV. NO. DESCRIPTION		REV. NO. DESCRIPTION	
ISSUED FOR BID		ISSUED FOR BID	
DESIGNED BY: MOB		DESIGNED BY: MOB	
DRAWN BY: SJR		DRAWN BY: SJR	
CHECKED BY:		CHECKED BY:	



1 TYPICAL VAPOR EXTRACTION EQUIPMENT PLAN  
6 NOT TO SCALE



REV.	DESCRIPTION	DATE
1	ISSUED FOR BID	MOB
2	DESIGNED	SLR
3	DRAWN	BY
4	CHECKED	BY

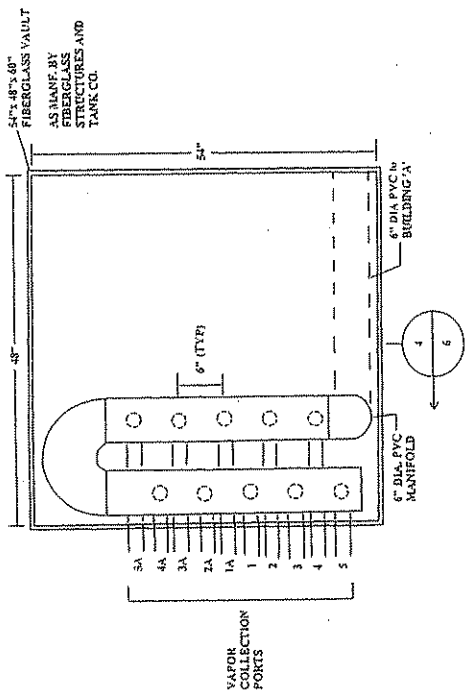
I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota.

Signature: *Maria D. Bounell*  
 Date: 8-14-06  
 Registration Number: 14010

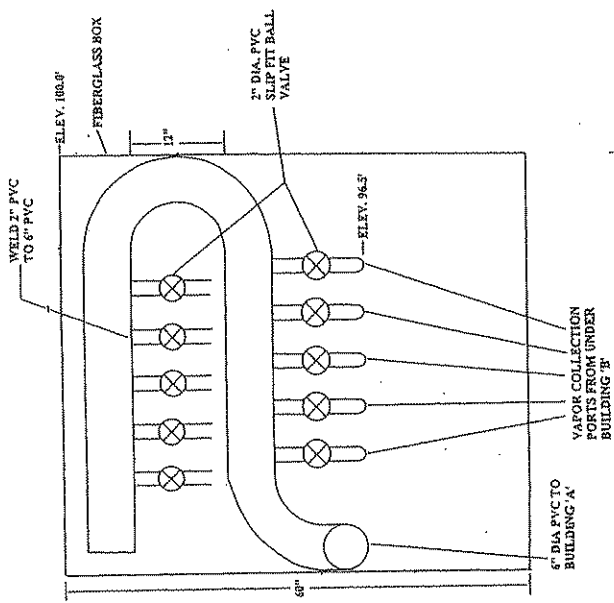
**VILLAGE ON QUEBEC**  
 Quebec and 42nd Avenues North  
 New Hope, Minnesota

**DETAILS**

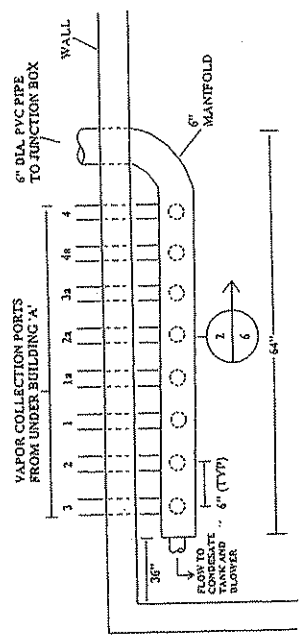
DATE: August 9, 2006  
 DRAWING NUMBER: 5 of 6  
 PROJECT NUMBER:  
 VEA ASSOCIATES INC.



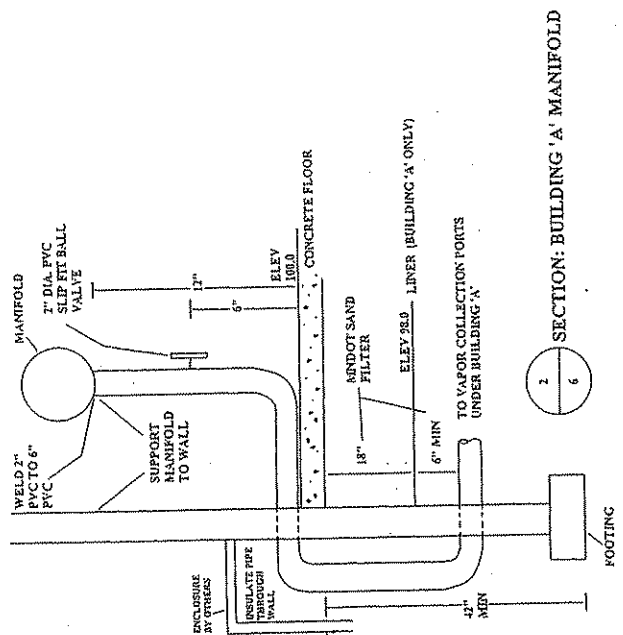
PLAN: BUILDING 'B' JUNCTION BOX



SECTION: BUILDING 'B' JUNCTION BOX



PLAN: BUILDING 'A' MANIFOLD

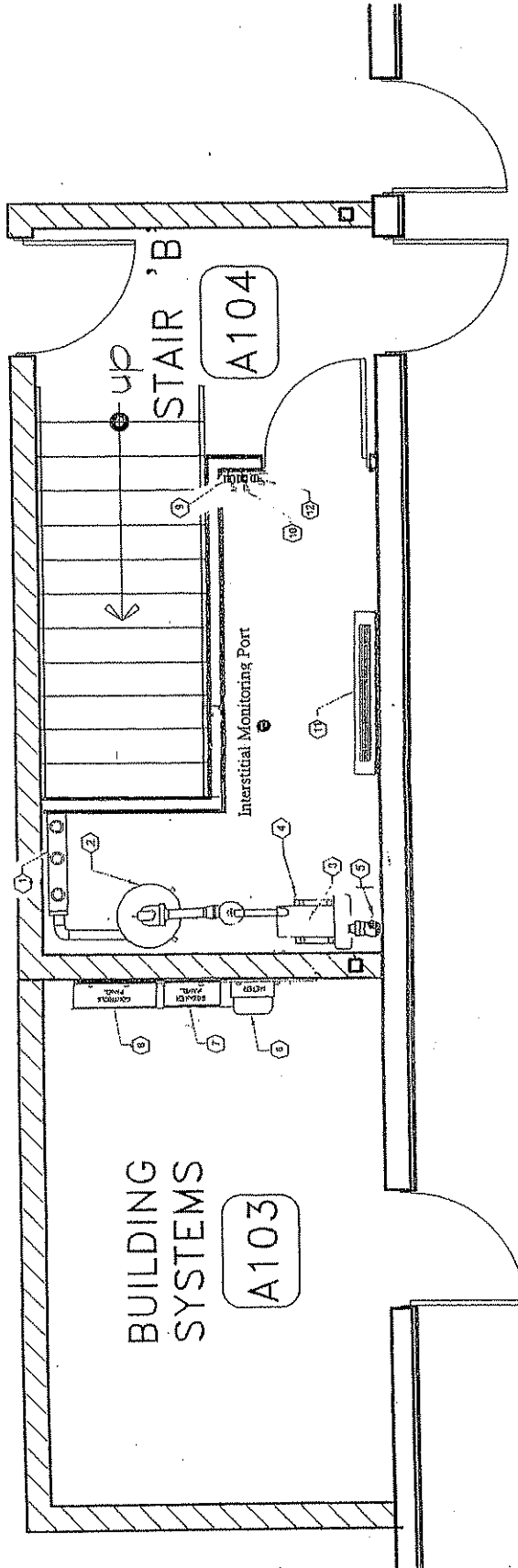


SECTION: BUILDING 'A' MANIFOLD



# KEYNOTES:

- 1 VAPOR EXTRACTION SYSTEM UNKLEID PIPE (1/2" DIA. P.V.C.)
- 2 CONDENSATE BEHIND TANK (SEE CSI 00)
- 3 H-LINE PARTICLE FILTER
- 4 OIL BLOWER (REUSE EXISTING BLOWER)
- 5 VACUUM BLOWER EXHAUST STACK (3" DIA. PVC PIPE SEE NOTE 6)
- 6 ELECTRIC METER
- 7 VAN BREAKER PANEL
- 8 ELECTRICAL CONTROLS PANEL
- 9 EXPLOSION PROOF FAN SWITCH
- 10 EXPLOSION PROOF LIGHT SWITCH
- 11 EXPLOSION PROOF ELECTRO SERVICE METER
- 12 EXPLOSION PROOF THERMOSTAT



1 VAPOR COLLECTION SYSTEM ROOM- BUILDING A

<b>SYSTEM ROOM</b> <b>BUILDING A</b> <b>VILLAGE ON QUEBEC</b> Quebec and 42 <sup>nd</sup> Avenues North New Hope, Minnesota		DATE: August 9, 2006 DRAWING NUMBER: 4 of 6 PROJECT NUMBER:	VIDA ASSOCIATES INC.
I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota.		Signature: Martin D. Bonnell Date: 8-14-06 Registration Number: 14010	
REV.	NO.	DESCRIPTION	ISSUED FOR BID
DESIGNED BY	MOB		
DRAWN BY	SJR		
CHECKED BY			



# VAPOR COLLECTION SYSTEM PLAN - BUILDING B

VIEN ASSOCIATES INC.

PROJECT NUMBER:

DRAWING NUMBER:

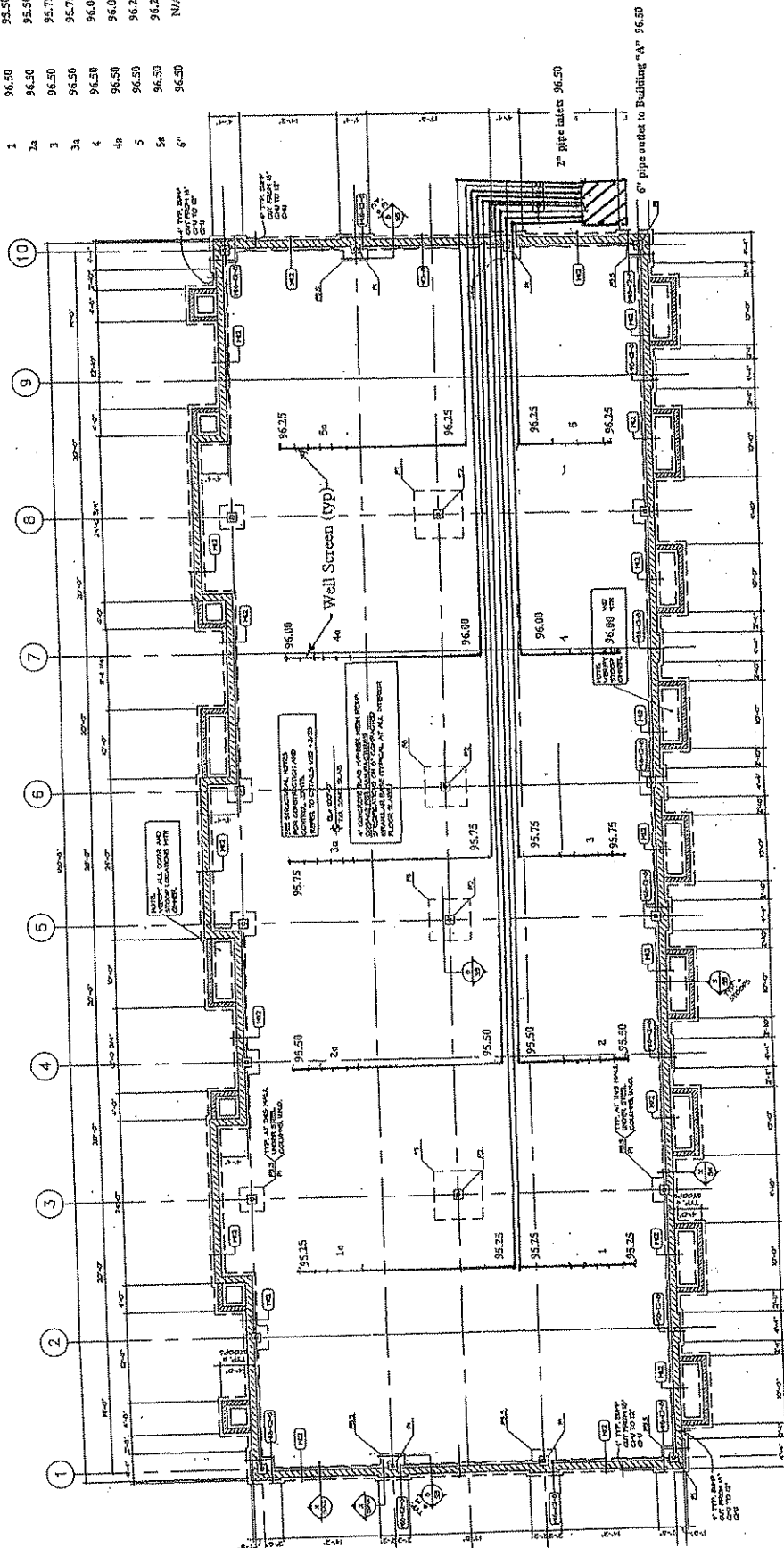
DATE: August 9, 2006

COLLECTION SYSTEM  
BUILDING B  
VILLAGE ON QUEBEC  
Quebec and 42nd Avenues North  
New Hope, Minnesota

Date: 8-14-06  
Registration Number: 14010  
Signature: Matthew D. Bownell  
I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota.

REV.	DESCRIPTION	NO.
ISSUED FOR BID		
DESIGNED BY	MDB	
DRAWN BY	SJR	
CHECKED BY		

Port	Invert	Screen
1	96.50	95.25
1a	96.50	95.25
2	96.50	95.50
2a	96.50	95.50
3	96.50	95.75
3a	96.50	95.75
4	96.50	96.00
4a	96.50	96.00
5	96.50	96.25
5a	96.50	96.25
6	96.50	N/A













AFFIDAVIT OF SERVICE BY MAIL

RE: In the matter of Martin Bonnell  
File Number 2007-0028

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF RAMSEY )

Patricia J. Litchy, being first duly sworn on October 2, 2007, deposes and says:

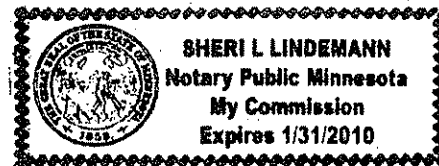
That at the City of St. Paul, County of Ramsey and State of Minnesota, on the 26th day of February, 2007, she served the Proposed Stipulation and Order by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class and certified postage prepaid, and addressed to:

Martin Bonnell  
172 Spruce Drive  
Apple Valley, MN 55124

*Patricia J. Litchy, J.D.*  
Patricia J. Litchy, J. D.

Subscribed and sworn to before me on this  
the 2<sup>nd</sup> day of October, 2007.

*Sheri L. Lindemann*  
(Notary Public)



(C)

(C)

(C)